

Summary
Water Pollution Control Board
Indiana Government Center North
Conference Room A
Indianapolis, Indiana
Wednesday, May 23, 2012

1. CALL TO ORDER

Chairman Gary Powdrill called the meeting to order at 1:30 p.m. He expressed concerns on whether there was a quorum present. Ms. Deborah Albright began checking to find what the minimum number of board members was needed to have a quorum.

Members present: Gary Powdrill; Ken Hedge; Dennis Wene; Erin Crofton; Dave Wagner; Mike Mettler; Pam Fisher; Mike Neyer; Tristan Vance and, Deborah Albright (Legal Counsel).

Present for IDEM: Commissioner Thomas Easterly; Bruno Pigott, Assistant Commissioner, Office of Water Quality (OWQ); Martha Clark Mettler, Deputy Assistant Commissioner, OWQ; Nancy King, Branch Chief, Rules Development Section (RDS), Office of Legal Counsel (OLC); MaryAnn Stevens, Rulewriter, RDS, OLC; Kiran Verma, Rulewriter, RDS, OLC; and Jody Arthur, Integrated Report Coordinator, Watershed Assessment and Planning Branch, OWQ.

2. INTRODUCTION OF BOARD MEMBERS

Chairman Powdrill asked the board members to introduce themselves and their affiliations.

3. REPORTS

- NPDES Permit Backlog Report – Mr. Pigott reported that there were no backlogs of municipal NPDES permits. He explained that there were only eight administratively extended NPDES permits remaining. He further explained that of those eight permits, six of the permits were currently public noticed and the other two permits would be public noticed within a week.
- Nutrient Criteria for Indiana Lakes – Ms. Mettler discussed how the workgroup primarily was working on the phosphorus issues along with other related issues to develop the rule language for the draft rule.
- NPDES General Permits – Mr. Pigott explained the purpose of the rulemaking and clarified how IDEM's authority to issue the general permits would remain in the rule. He noted, however, that the specific requirements for each general permit would be extracted from the general permit rule.

Following IDEM's reports, Chairman Powdrill received confirmation from Ms. Albright that there was a quorum.

4. APPROVAL OF MEETING SUMMARY

Chairman Powdrill called for approval of the March 14, 2012 meeting summary. A motion was made and seconded to accept the March 14, 2012 meeting summary. With a voice vote, the Board voted unanimously to approve the March 14, 2012 meeting summary without changes.

5. RULE ACTIONS

LSA Doc. #11-667 Drinking Water Standards, Ground Water Standards, Disinfectants and Disinfection rules
Chairman Powdrill opened the public hearing for consideration of preliminary adoption of amendments to 327 IAC 8-2, 327 IAC 8-2.3 and 327 IAC 8-2.5 Disinfectants and Disinfection rules. He then introduced Exhibit A, draft rules, into the record of hearing.

Ms. Kiran Verma spoke for the agency. Ms. Verma discussed the purpose of the amendments to the Drinking Water Standards, Groundwater Standards and Disinfectants and Disinfection rules. She stated that IDEM was updating the changes made by U.S. EPA to the most recent National Primary Drinking Water Regulations. She then detailed what those minor changes included.

The hearing concluded and there was no board discussion.

Mr. Dave Wagner made a motion for the preliminary adoption of the draft rules and Mr. Dennis Wene seconded it. With a voice vote, the Board voted unanimously to preliminarily adopt the Disinfectants and Disinfection rules.

Prior to the chairman opening the public hearing on the Chloride and Sulfate rules, he congratulated the agency for its expeditious response to the citizens' petition by bringing this rulemaking before the Board.

LSA Doc. #11-320 WQS Chloride and Sulfate rule

Chairman Powdrill opened the public hearing to consider final adoption of amendments to 327 IAC 2-1-6, Water Quality Standards for Chloride and Sulfate rule. He introduced Exhibit B, proposed rule as preliminarily adopted, into the record of hearing.

Ms. MaryAnn Stevens spoke for the agency. She explained overall that the rulemaking would incorporate the most recent toxicological data on chloride used by U.S. EPA to develop the existing chloride criteria and amend the sulfate criteria.

The public hearing concluded and there was no Board discussion.

A motion was made by Mr. Wagner and seconded by Mr. Dennis Wene to final adopt the proposed rule as presented. With a roll call vote, the Board unanimously voted for the final adoption of the WQS Chloride and Sulfate rule.

6. PRESENTATION

Prior to the presentation, Chairman Powdrill mentioned that a constituent had contacted him regarding an article in the *Tri-State Outdoor News* on Indiana's polluted rivers and streams. He was, however, unable to find the publication. Ms. Jody Arthur indicated that she was aware of the article, but hadn't yet read it. She would try to find a copy.

Ms. Jody Arthur gave a PowerPoint presentation on the 2012 Draft 303(d) List of Impaired Waters and Consolidated Assessment under the Clean Water Act.

Board members questioned Ms. Arthur on related topics of the 303(d) list.

7. OPEN FORUM

Mr. Bowden Quinn, Conservation Program Coordinator for Sierra Club, and Ms. Falon French, Policy Researcher and Outreach Associate for Hoosier Environmental Council, commented on the 303(d) List of Impaired Waters.

8. ADJOURNMENT

The next meeting is tentatively scheduled for 1:30 p.m. EDT on Wednesday, June 13, 2012, at the Indiana Government Center South Conference Room A. Chairman Powdrill adjourned the meeting at 3:07 p.m.

CHAIRPERSON

The summary is derived from Rules Development Branch staff members' notes. A typewritten transcript of the entire meeting is on file in the Office of Legal Counsel, Indiana Department of Environmental Management. To view approved summaries or minutes, you may go online to <http://www.in.gov/idem/4707.htm>.